

REMARKS

An Advisory Action was mailed on August 5, 2004 that refused to enter the claim amendments presented by way of an Amendment dated May 10, 2004. In particular, the Advisory Action indicated that the amendments to the claims would not be entered because the status designation associated with the claims to be amended was not one of the approved designations, but instead was "proposed amendment," thereby apparently leaving some doubt as to whether or not the amendment was actually to be entered. As such, this Preliminary Amendment is filed in conjunction with the Request for Continued Examination in order to make the same amendments set forth by the Amendment filed in response to the final Official Action.

By way of background, the Amendment in response to the final Official Action was filed following a personal interview with Examiner Poinvil on February 25, 2004. The final Official Action rejected Claims 99-102, 198, 199 and 213-216 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,449,186 to Kelly, et al., in view of U.S. Patent No. 5,253,166 to Dettelbach, et al. The final Official Action also rejected Claims 103-112, 166-212 and 217-222 under 35 U.S.C. § 103(a) as being unpatentable over the Kelly '186 patent and the Dettelbach '166 patent in further view of U.S. Patent No. 5,570,283 to Shoolery, et al. Further, the final Official Action rejected claims 113 and 114 under 35 U.S.C. § 103(a) as being unpatentable over the Kelly '186 patent and the Dettelbach '166 patent in further view of U.S. Patent No. 5,936,625 to Kahl, et al. During the interview, Applicants' representative submitted that the Kelly, Dettelbach, and Kahl references, taken either individually or in combination, did not render independent Claims 99, 198 and 213 unpatentable for the same reasons set forth in a prior Amendment dated November 25, 2003. Applicants' representative also argued that each of these references failed to disclose or suggest the features set forth by dependent Claims 100-114, 166-197, 199-212 and 214-222, as discussed in the prior Amendment.


The Examiner then suggested if independent Claims 99, 198 and 213 were amended the include the features of Claims 114 or 215, the application would be in condition for allowance. Although in disagreement with the Examiner over the patentability of independent Claims 99, 198 and 213, Applicants hereby amend these independent claims as suggested by the Examiner to include the features indicated to be allowable. In this regard, see, for example, the Interview

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Summary dated March 9, 2004 which states "the Examiner suggests Applicant incorporating features of either Claims 114 or 215 into the independent claims would place the application in condition for allowance."

In view of the remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application. It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

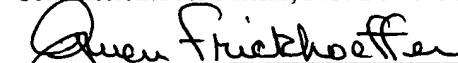
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